

**SCHMIDT LAW FIRM**

A PROFESSIONAL LIMITED LIABILITY COMPANY

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August 5, 2015

United States District Judge, Part I  
Hon. Katherine Polk Failla  
United States Courthouse  
40 Foley Square  
New York, NY 10007

Case No. 15MISC233; *National Labor Relations Board v. New York Party Shuttle, LLC*

To the Honorable Judge of the Court:

The Court has set a Show Cause hearing on the above referenced matter for August 11, 2015. Please accept this letter as our formal request for a fourteen (14) day adjournment of the hearing currently set for August 11, 2015.

The Court, in its order dated July 30, 2015, required that service of the Order to Show Cause and of the Board's Application be made on or before July 31, 2015. The Order further requires that Respondent file and serve its answer to the application not later than August 6, 2015.

For the following reasons, Respondent is unable to timely comply with the Court's order and thus requests additional time to file a response and to have the hearing.

Although the Court clearly stated that the July 30<sup>th</sup> order was to be served on Respondent on or before July 31<sup>st</sup>, for whatever reason, this did not occur. Respondent did not receive the Order until August 4, 2015. Thus Respondent lost five days the Court intended Respondent to have to prepare its answer to Applicant's Application. With such abbreviated notice, Respondent has also been unable to retain local counsel to handle this matter. To be clear, Respondent does not believe this to be the fault of the NLRB.

There have been no previous requests for an adjournment or extension of time on this Order to Show Cause. Respondent needs time to prepare a response and to hire local counsel to handle this matter and appear at the hearing.

Counsel(s) for the Applicant are opposed to an adjournment of the hearing. The main reason given for their opposition was the amount of time this case has been pending. However, Applicant would be less harmed by a two-week extension than Respondent will be if it cannot file an answer timely or have legal representation retained to counsel Respondent at the hearing.

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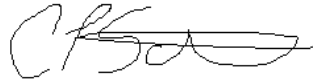
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This request is made more than 48 hours prior to the currently scheduled hearing.

Thank you for your consideration of this matter.

Regards,

A handwritten signature in black ink, appearing to read 'C. Thomas Schmidt', with a stylized, cursive script.

C. Thomas Schmidt